IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.1332 OF 2005

Goodlass Nerolac Paints Ltd. Plaintiff

versus

Ajanta Electric & Hardware Stores Defendant

and

Basanti A. Rajput & others Respondents

Mr.Bimal Bhabhda i/by Apte & Co. for plaintiff

NMr.G.W.Mattos for respondents.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 2nd May 2006

PC :

1. This Chamber Summons is for bringing the heirs and legal representatives of the proprietor of the defendant, who expired on 16th April 2005.

2. There is a delay of 75 days in presenting this Chamber Summons.

3. An affidavit in reply has been filed on behalf of respondents to oppose this Chamber

Summons and apart from delay, there is nothing on record to indicate that the heirs of the deceased sole proprietor cannot be impleaded.

4. In the light of the explanation put forward in the affidavit in support, the delay in taking out this Chamber Summons, is condoned. Chamber Summons is made absolute in terms of prayer clauses (a) to (c). Amendment to be carried out within a period of two weeks. No order as to costs.

(S.C.DHARMADHIKARI, J.)